

**REMARKS**

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 6, 17 and 18 have been amended. Claim 5 has been canceled without prejudice or disclaimer. No new matter has been added.

This amendment changes and deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-4 and 6-18 are now pending in this application.

***Allowable subject matter***

Applicants appreciate the indication that claims 6-14 include allowable subject matter.

**35 U.S.C. §§ 102 and 103 Rejections**

Claims 1, 5 and 15-18 are rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,401,703 to Mamiya et al. (Mamiya). Claims 2-4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mamiya in view of U.S. Patent No. 6,116,227 to Yoshioka et al. (Yoshioka). Applicants respectfully traverse these rejections for at least the following reasons.

Independent claim 1 recites a programmable controller programmed to “calculate a target fuel injection amount by correcting the basic fuel amount in response to the trend in variation of the engine rotation speed such that a larger target fuel injection amount is given when the engine rotation speed increases than when the engine rotation speed decreases for an identical engine rotation speed.” (Emphasis added). Mamiya and Yoshioka fail to suggest at least this feature of claim 1 in the context of that claim.

The Office Action cites to Mamiya in col. 13, lines 1-49 as disclosing the calculating a target fuel injection amount step performed by the programmable controller. Mamiya in cols. 13 and 14 discloses a flow chart 9 which describes correcting the target fuel injection

amount when the engine is in an idle running state and when the engine is not in an idle running state. In steps 103, it is determined whether or not the engine is in an idle running state (col. 13, lines 14-16). When the determination is affirmative, in the step S109, a fuel injection amount is feedback controlled such that the engine rotation speed coincides with a target idle rotation speed (See col. 13, lines 36-49). On the other hand, when the determination is negative, in the step S115, a combustible mode according to engine operating conditions such as an engine rotation speed is applied (See col. 14, lines 33-38). Thus, Mamiya is understood to teach applying different fuel injection amounts when the engine is running idle and when the engine is not running idle. When the engine continues to run idle, the engine rotation speed is stabilized at the idle rotation speed. When the engine is not running idle, the engine rotation speed is not stabilized at the idle rotation speed.

While Mamiya may disclose applying different fuel injection amounts according to whether the engine is running idle or not running idle, nowhere does Mamiya suggest as recited in claim 1 “correcting the basic fuel amount in response to the trend in variation of the engine rotation speed such that a larger target fuel injection amount is given when the engine rotation speed increases than when the engine rotation speed decreases for an identical engine rotation speed.” Claim 1 is patentable over Mamiya for at least this reason.

Yoshioka was cited for allegedly disclosing a controller that is programmed to determine whether or not an engine is in a start up state, but fails to cure the deficiencies of Mamiya.


Independent claims 17 and 18 have been amended in a fashion corresponding to claim 1, and are patentable for analogous reasons. The dependent claims ultimately depend from claim 1, and are patentable for at least the same reasons, as well as for further patentable features recited therein.

**Conclusion**

In view of the foregoing amendments and remarks, Applicants believe the application is now in condition for allowance. Favorable reconsideration of the application is respectfully requested. If there are any questions regarding the prosecution of this application, the Examiner is invited to contact the undersigned attorney at the phone number listed below.

Respectfully submitted,

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